

MINUTE ITEM
This Calendar Item No. C39 was approved as
Minute Item No. 39 by the California State Lands
Commission by a vote of 3 to 4 at its
4/24/06 meeting.

CALENDAR ITEM

C39

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08/24/06

PRC 8711 W 26161

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J. McComas

GENERAL LEASE - INDUSTRIAL USE

APPLICANT:

Salt River Construction Corporation
167 Trinidad Drive
Tiburon, California 94920

AREA, LAND TYPE, AND LOCATION:

A 0.93 – acre parcel of sovereign in the Napa River, near the city of Vallejo,
Solano County.

AUTHORIZED USE:

Construction, use, and maintenance of a stacker/conveyor belt, along an existing
wharf, That will be used to move clean fill material from the uplands onto barges
for transport to emergency levee repair sites and the barge loading area as
shown on Exhibit A.

LEASE TERM:

Five years, beginning August 1, 2006.

CONSIDERATION:

\$450 per year; with the State reserving the right to fix a different rent periodically
during the lease term, as provided in the lease.

SPECIFIC LEASE PROVISIONS:

Insurance:

General Liability - Each Occurance: \$5,000,000
Worker's Compensation: Statutory requirements of the State of California
Environmental Impairment and Pollution Liability: \$5,000,000

Bond:

\$20,000

OTHER PERTINENT INFORMATION:

1. Applicant has the right to use the uplands adjoining the lease premises.

CALENDAR ITEM NO. C39 (CONT'D)

2. During the New Year's floods of 2006, the Suisun Marsh levees suffered major damage and several breaches and Solano County was subsequently declared a State and Federal disaster area. The Applicant proposes to deliver, by barge, levee repair material to the Suisun Resource Conservation District properties to restore the levee system integrity and to protect the wetland resources of the Suisun Marsh.
3. The Applicant will obtain clean fill material and load it onto a conveyor belt attached to the existing wharf, where the material will then be placed on barges for transport to the levee repair sites.
4. The Applicant is applying for a lease for the temporary installation of a stacker/conveyor belt on an existing wharf, not previously authorized by the Commission, and a barge loading area.
5. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a statutorily exempt project because it involves a project undertaken, carried out, or approved by a public agency to maintain, repair, restore, demolish, or replace property or facilities damaged or destroyed as a result of a disaster in a disaster-stricken area in which a state of emergency has been proclaimed by the Governor pursuant to Chapter 7 (commencing with section 8550) of Division 1, Title 2 of the Government Code.

Authority: Public Resources Code Section 21080 (b) (3) and Title 14, California Code of Regulations, section 15269 (a).

6. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

APPROVALS OBTAINED:

San Francisco Bay Conservation and Development Commission; California Regional Water Quality Control Board; California Department of Fish and Game, and the County of Solano

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FURTHER APPROVALS REQUIRED:

U. S. Army Corps of Engineers

EXHIBIT:

A. Site and Location

PERMIT STREAMLINING ACT DEADLINE:

January 20, 2007 (CSLC acting as a responsible agency under CEQA)

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A STATUTORILY EXEMPT PROJECT PURSUANT TO PUBLIC RESOURCES CODE SECTION 21080 (b) (3) AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15269 (a), TO MAINTAIN, REPAIR, RESTORE, DEMOLISH, OR REPLACE PROPERTY OR FACILITIES DAMAGED OR DESTROYED AS A RESULT OF A DISASTER IN A DISASTER-STRIKEN AREA IN WHICH A STATE OF EMERGENCY HAS BEEN PROCLAIMED BY THE GOVERNOR.

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

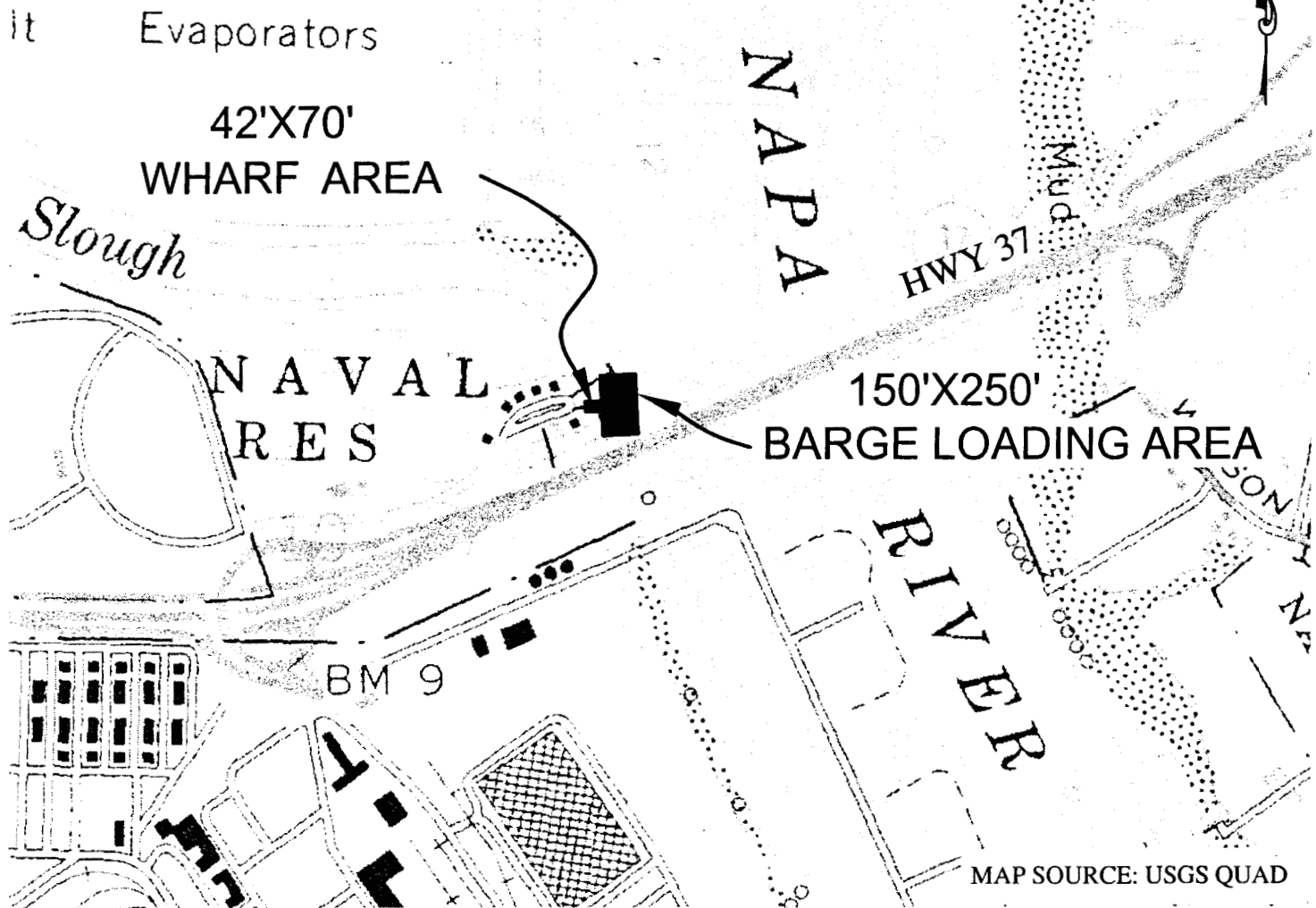
AUTHORIZE ISSUANCE TO SALT RIVER CONSTRUCTION CORPORATION OF A GENERAL LEASE - INDUSTRIAL USE, BEGINNING AUGUST 1, 2006 , FOR A TERM OF FIVE YEARS, FOR THE CONSTRUCTION, USE, AND MAINTENANCE OF A STACKER/CONVEYOR BELT, ALONG AN EXISTING WHARF AND A BARGE LOADING AREA AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$450, WITH THE STATE RESERVING THE RIGHT

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TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; GENERAL LIABILITY INSURANCE COVERAGE OF NO LESS THAN \$5,000,000 PER OCCURANCE; WORKER'S COMPENSATION COVERAGE IN ACCORDANCE WITH THE STATUTORY REQUIREMENTS OF THE STATE OF CALIFORNIA; ENVIRONMENTAL IMPAIRMENT AND POLLUTION LIABILITY INSURANCE OF NO LESS THAN \$5,000,000, AND A SURETY BOND IN THE AMOUNT OF \$20,000.

NO SCALE

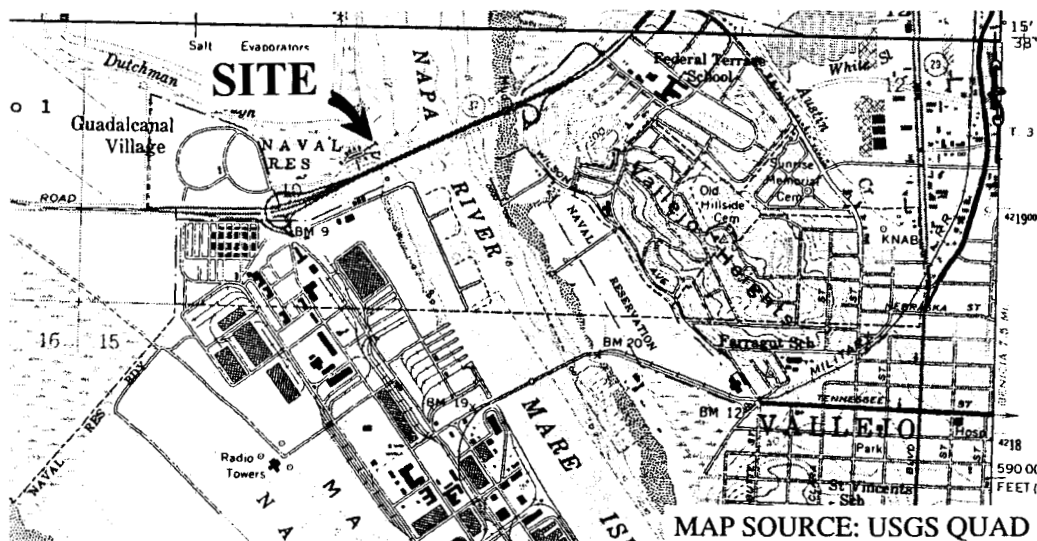
SITE



EMERGENCY LEVEE REPAIR LOADING SITE, NAPA RIVER

NO SCALE

LOCATION



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

CALENDAR PAGE

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Exhibit A

W 26161

SALT RIVER CONSTRUCTION

APN 0067-040-22

GENERAL LEASE/INDUSTRIAL USE

SOLANO COUNTY



MJ 08/06